

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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|-----------------------------------|---|--------------------------------|
| FELIX BRIZUELA, | : | Civil No. 1:22-cv-1287 |
| | : | |
| Plaintiff, | : | |
| | : | (Judge Sylvia H. Rambo) |
| v. | : | |
| | : | |
| STATE BOARD OF OSTEOPATHIC | : | |
| MEDICINE, | : | |
| | : | |
| Defendant. | : | |

ORDER

Before the court is Magistrate Judge Arbuckle’s Report and Recommendation (Doc. 8) which recommends that Plaintiff Felix Brizuela’s amended complaint be dismissed without leave to amend. No objections have been filed to the report.

In considering whether to adopt a report and recommendation when no objections have been filed, the court should, as a matter of good practice, “satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72(b), advisory committee notes; *see also Univac Dental Co. v. Dentsply Intern., Inc.*, 702 F. Supp. 2d 465, 469 (M.D. Pa. 2010) (explaining that judges should review dispositive legal issues raised by the report for clear error). Following an independent review of the record and upon a careful review of the report and recommendation, the court is satisfied that the report and recommendation contains no clear error and will therefore adopt the recommendation.

Accordingly, **IT IS HEREBY ORDERED AS FOLLOWS:**

- 1) The Report and Recommendation (Doc. 8) is **ADOPTED**;
- 2) The amended complaint (Doc. 7) is **DISMISSED WITH PREJUDICE**;
- 3) The Clerk of Court is **DIRECTED** to close this case; and
- 4) Any appeal is deemed frivolous and not in good faith.

s/Sylvia H. Rambo
Sylvia H. Rambo
United States District Judge

Dated: March 9, 2023